

<b>PETITION FEE</b>  <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b>  <b>TRANSMITTAL</b>  Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Complete if Known	
	Application Number	10/521,814
	Filing Date	January 21, 2005
	First Named Inventor	Bipin C.M. Patel
	Examiner Name	
	Group Art Unit	
	Attorney Docket Number	1768-134
	Confirmation Number	3777

Enclosed are petitions filed under 37 CFR 1.47 and 37 CFR 1.59 that requires a processing fee (37 CFR 1.17(f), (g), or (h)).

Payment of \$ 400.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g. Mail Stop Petition), if applicable. For transmittal processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2135;
- ☒ Petition fees under 37 CFR 1.17 (f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments
- ☒ Enclose a duplicate copy of this form for fee processing.
- ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions under:

- § 1.53(e) - to accord a filing date.  
 § 1.57(a) - to accord a filing date.  
 § 1.182 - for decision on a question not specifically provided for.  
 § 1.183 - to suspend the rules.  
 § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
 § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

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27 JAN 2006

Legal Staff  
International Division

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.  
 § 1.14 - for access to an application.  
 § 1.47 - for filing by other than all the inventors or a person not the inventor.  
 § 1.59 - for expungement of information.  
 § 1.103(a) - to suspend action in an application.  
 § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
 § 1.295 - for review of refusal to publish a statutory invention registration.  
 § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
 § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
 § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.  
 § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.  
 § 5.12 - for expedited handling of a foreign filing license.  
 § 5.15 - for changing the scope of a license.  
 § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.  
 § 1.84 - for accepting color drawings or photographs.  
 § 1.91 - for entry of a model or exhibit.  
 § 1.102(d) - to make an application special.  
 § 1.138(c) - to expressly abandon an application to avoid publication.  
 § 1.313 - to withdraw an application from issue.  
 § 1.314 - to defer issuance of a patent.

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Barbara G. Ernst, Reg. No. 30,377		
SIGNATURE	<i>Barbara G Ernst</i>	DATE	Jan. 17, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/521,814  
Applicant : Bipin C.M. PATEL  
Filed : January 21, 2005  
Title: : Conjugate of N-hydroxypropy-methacrylamide-  
Methacrylate Copolymer with Nuclide  
Activation Agent And/or Anti-Cancer Compounds  
TC/A.U. :  
Examiner :  
  
Docket No. : 1768-134  
Customer No. : 06449  
Confirmation No. : 3777

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

The materials in the attached envelope are considered proprietary  
and are being submitted for submission under MPEP § 724.

Barbara G. Ernst  
Attorney for Applicants  
Registration No. 30,377  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/521,814  
 Applicant : Bipin C.M. PATEL  
 Filed : January 21, 2005  
 TC/A.U. :  
 Examiner :

Docket No. : 1768-134  
 Customer No. : 06449  
 Confirmation No. : 3777

Director of the United States Patent  
 and Trademark Office  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

PETITION FOR EXPUNGEMENT OF INFORMATION OR COPY  
 OF PAPERS IN APPLICATION FILE PURSUANT TO 37 C.F.R. §1.59(b)

Dear Sir:

Pursuant to the provisions of 37 C.F.R. §1.59(b), it is requested that the Declaration by Tristan Brittain-Dissont and accompanying exhibits, provided with the Petition For Filing an Application by Other than the Inventor Pursuant to 37 C.F.R. §1.47(b) filed concurrently herewith, be expunged from the file of the present application. Mr. Brittain-Dissont's declaration and the exhibits contain sensitive information submitted to support the Rule 1.47(b) Petition but which should not be publicly available or part of the U.S. Patent and Trademark Office's official and ongoing file for the present patent application. To protect the privacy of the inventor, Dr. Bipin Patel, and the company which owns the application, Psimei Pharmaceuticals plc., it is requested that these documents be expunged upon final disposition of this petition.

U.S. Serial No. 10/521,814  
Petition for Expungement of Information  
Page 2

Please charge the required fee to Deposit Account No.  
02-2135.

Respectfully submitted,

By Barbara G. Ernst  
Barbara G. Ernst  
Attorney for Applicants  
Registration No. 30,377  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/521,814  
 Applicant : Bipin C.M. PATEL  
 Filed : January 21, 2005  
 TC/A.U. :  
 Examiner :

Docket No. : 1768-134  
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Director of the United States Patent  
 and Trademark Office  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

PETITION FOR FILING A PATENT APPLICATION BY  
 OTHER THAN THE INVENTOR PURSUANT TO 37 C.F.R. §1.47(b)

Dear Sir:

Under the provisions of 37 C.F.R. §1.47(b), Tristan Brittain-Dissont, a director of Psimei Pharmaceuticals plc., the company which was the employer of Dr. Bipin Patel, the sole inventor named on the above-identified patent application, hereby petitions the Commissioner to accept the completion of the filing of the above-identified application by other than the inventor. A declaration by Mr. Brittain-Dissont, with attached Exhibits, is attached hereto providing proof of the pertinent facts concerning the unavailability of the inventor to complete the filing of the application by executing the Inventor's Declaration.

The last known address of Dr. Patel is 6 St. Marks Close, Hithem, Herefordshire, SG5 1UR, United Kingdom.

As set forth in the Declaration by Mr. Brittain-Dissont, the invention disclosed and claimed in the application was made by Dr. Patel while in the employ of Psimei Pharmaceuticals. Psimei prepared and filed on July 22, 2002, a European patent application which is the priority application for international application PCT/GB03/02919, of which the present application is a

National Phase filing. In each of these applications, Dr. Patel is named as the sole inventor.

As detailed in Mr. Brittain-Dissont's declaration, Dr. Patel was sent the formal papers for the present application by Mr. Richard Gillard, a European patent attorney with the firm of Elkington and Fife LLP, Psimei Pharmaceuticals' representatives in the U.K., on March 29, 2005. On April 15, 2005, Dr. Patel began what proved to be an extensive sick leave. Dr. Patel did not return the executed declaration and assignment to Mr. Gillard, nor did he apprise the directors of Psimei of the papers or that they needed to be executed and submitted to the U.S. Patent and Trademark Office. As detailed in Mr. Brittain-Dissont's declaration, the directors of Psimei have been advised by Dr. Patel's solicitors not to contact Dr. Patel regarding any work-related matters.

Upon information and belief, based on Dr. Patel's employment by Psimei Pharmaceuticals and United Kingdom law, Psimei is entitled to clear title to the invention and to the above-identified patent application and any patent which issues thereon. As Dr. Patel was paid compensation by Psimei, the invention belongs to Psimei, and Dr. Patel has a duty to execute an application for patent covering the invention and to assign the invention, patent application and any patent issuing thereon to Psimei. In view of Dr. Patel's failure to execute the papers required for completing the filing of the present application which were sent to him, in combination with the company's subsequent inability to reach him, Mr. Brittain-Dissont, as a director of Psimei, is believed to be entitled to make such application on behalf of and as agent for Dr. Patel.

Mr. Brittain-Dissont's declaration and the exhibits attached thereto are provided to the Patent and Trademark Office in a sealed and labeled envelope pursuant to MPEP §724.02. These documents are not open to the public and are to be opened and considered only by an authorized employee of the Petitions Division of the U.S. Patent and Trademark Office.

Also provided herewith is a Petition to Expunge under 37 C.F.R. §1.59(b). As set forth in that petition, it is requested that Mr. Brittain-Dissont's declaration and supporting exhibits be expunged from the file for this application upon the final disposition of this petition.

The required fee pursuant to 37 C.F.R. §1.17(h) is enclosed.  
Please charge any additional fees, or credit any overpayments to  
Deposit Account No. 02-2135.

Respectfully submitted,

By Barbara G. Ernst  
Barbara G. Ernst  
Attorney for Applicants  
Registration No. 30,377  
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